Sectt. II-27—45,006—19-10-39.

(1940) Department.

SERIES.

G.O. No.	1355-G.H
Dated	3 4 1940

[Despatch Abstract.]

Accounts - Mangalore Municipality - Construction of a urinal in the Municipal Health Office - Expenditure - Sanctioned as a special case.

C.F. 20.

DEPARTMENT.

35283

Received ..... 19 . *Registered* ..... 19 .

3327

Subject.

26 AUG 1939

PUBLIC HEALTH - Health Office - Construction - Urinal - Expenditure - Rs.90/- - Held under objection - Sanction - Sought for.

====== Edn. & P.H. Co.

ENCLOSURES.
No.
Spare copies

Ref.C. No. 11452/B1/39.

Station MANGALORE, , *Dated the* 12th AUGUST 19 39.

From (Name) Sri M. Narayana Shenoy, B.A., B.L.,

(Designation) Commissioner, Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,

LOCAL ADMINISTRATION Department.
FORT ST. GEORGE, MADRAS.

Through:

Sir,

The Chairman,
Municipal Council, Mangalore.

The Municipal Health Office is ~~being held~~ located in a rented building for which a rent of Rs.50/- per month is being paid. There was no urinal in the compound and the Municipal Health Officer reported that the owner was not prepared to construct one. As no other suitable building near enough to the Municipal office was found the Municipal Council in its Resolution No.27 dated 20.12.1937 (copy enclosed) sanctioned an amount of Rs.90/- for the

construction

construction of a temporary urinal for the Health Office. A urinal was therefore constructed at a cost of Rs.90/- and it was in the opinion of the Municipal Supervisor of a temporary nature which could be dismantled and --- shifted when it was not required. The Inspector of L.F. Accounts has however held the item of expenditure under objection and a copy of his objection is enclosed. I request therefore that Government be pleased to sanction the expenditure as a special case for reasons set forth above.

P 4 enc.

Commissioner, M.M.

Mangalore,)
Dated)

B. Venkataraya Baliga
Chairman, M. C.

1918.

Extract from the proceedings of the Municipal Council, dated the 20th December 1937.

==========

x x x

27. Letter from the Municipal Health Officer requesting to provide a temporary urinal for the Health Office, and an estimate for the same for Rs. 90/-

S A N C T I O N E D

x x x

Sd/- U. P. Mallya.
Vice-Chairman, M.C.

/ TRUE EXTRACT /

Municipal Office, Mangalore,
Dated the 12th August 1939.

Commissioner, M. M.

---

compd 29/8

Extract from the Annual Objection Statement

1937-38

General Account.

++++++++++

x x x

20. Constructing a temporary Urinal for the Municipal Health Office -- Rs.90/-

As the work was done in a rented building, for which a rent of Rs.50/- is paid, the expenditure needs to be redovered from the owner of the building. A & C.

x x x

/ TRUE EXTRACT /

Municipal Office, Mangalore.)
)
Dated the 12th August 1939.) Commissioner, M.M.

=========

compd 13/1918.

5

E & O.H. Deptt.

Cro. 35283 from the Commr., Mangalore Mty, No 11452 of 12.8.1939.

47/39

Sanitation: Mangalore Mty – Expenditure on temp.y urinal for the office of the Md. H.O.

Memo. No. 35283-I E1 Pft. dated 6-9-39.

The Commr., Mangalore Mty, is requested to report why action was not taken under section 146 of the M.D.M. Act to compel the owner of the building in question to provide a urinal at his own cost & what steps have been taken to recover the cost from the owner.

5/10/39.

6-9-39.

SRG 6/9/39

To
The Commr., Mangalore Mty, thro' the Chn.

Dated 8/9/39.

DEPARTMENT.

Received 4-OCT-1939 19 . Registered ..... 19 .

41298

Subject.

SANITATION - Mangalore Municipality - Expenditure on temporary urinal for the office of the Municipal Health Officer - Government Memo No.35283-1E-1 P.H., dated 6.9.1939.

p.s ante

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Enclosures.

No. .....

Spare copies .....

Ref.C. No.11452/B1/39.

Station Mangalore, *Dated the* 29th September 1939

From (Name) Sri M. Narayana Shenoy, B.A.,B.L.,

(Designation) Commissioner, Mangalore Municipality, MANGALORE .

To The Secretary to the Government of Madras,

EDUCATION & PUBLIC HEALTH Department.

FORT ST. GEORGE, MADRAS.

Through:

The Chairman,
Municipal Council, Mangalore.

Sir,

The owner of the building is reported to have claimed higher rate of rent in case he was compelled to construct a urinal at his own cost. If notice under section 146 is served he will naturally ask the occupier (Municipality for more rent. Financially therefore the effect to the Council would be the same in paying less rent to the owner and incurring extra expenditure on the urinal, which could be dismantled and removed at any time.

I, therefore, request that in view of the

Mut. 4/10

explanation

explanation given above necessary sanction may kindly be accorded for ~~incurred~~ expenditure already incurred.

Commissioner, M.M.

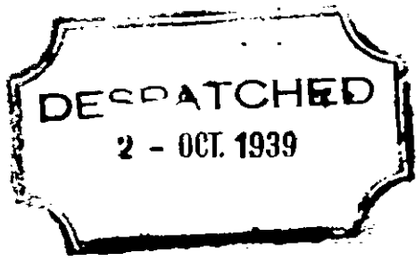
F o r w a r d e d.

Chairman, M.C.

Mangalore, D/

PST.30.9a

cd/



C.No. 35283 E/39.

Edn. & P.H. Dept.

Public Health. Health Offices — Construction of a urinal at a Cost of Rs. 90 in a Rented Building —

pp1-2 CF — Rep. from the Commrs., Mangalore Mpl. C.No. 11452 B-1/39 dated 12-8-1939.

p.5 CF — Memo No. 35283-121 dated 6-9-1939.

pp6-7 CF — " from the Commrs. Mangalore Mpl. C.No. 11452 B-1/39 & 29-9-39

—

p1 CF — The Municipal Health Office, Mangalore, is located in a private building for which a monthly rent of Rs. 50/- is paid. It is reported that as there was no urinal in the office compound and ~~the~~ the landlord was not prepared to construct one, a urinal was constructed by the Municipality at a cost of Rs. 90/- The Inspector of L.S. Accounts has objected to the expenditure as the construction was carried on in a private rented building and has held that the amount could need recovery from the owner of the building. The Commissioner Mangalore

pp1-2 CF — Municipality requests that the sanction of Govt. may be accorded for the expenditure incurred.

2. The Commissioner was requested to report why action was not taken under Section 146 of the M.D.M. Act to compel the owner of the building to provide a urinal at his cost and the steps taken to recover the cost from the owner.

p4 CF

p5 CF

The Commissioner reports that if the owner of the building is compelled to construct the urinal he would demand a higher rate of rent and hence the financial effect would be the same. p.6 CF

3. It is not quite certain that the fears of the Commissioner are justified that the owner of the building would demand a higher rate of rent if he is asked to provide a urinal. ~~Some time, if the owner cost is to be recovered from him~~ Even if it were so, it may not be a healthy precedent for a local body to be dictated by a private person, when the local body is within its powers to ask the owner of the building to provide a urinal. ~~For orders, whether sanction may be accorded for the incurring of the expenditure by the Council~~ For orders as to if the Commissioner may be requested to recover the expenditure from the owner of the building payable from the rent to him monthly. The provision of a urinal or latrine is not a luxury. It is a necessity. It is not clear why the owner of the building is expected to demand higher rent for the provision of a latrine or urinal when there is not even one latrine or urinal in the building. The landlord does not seem to have

SRy

NK 7.10.38.

been forced under Section 146 of the M.M.A. Act to provide a urinal at his cost. The Comm'r. may be asked to recover the cost from the owner. The Comm'r. has not reported the steps taken to recover the amount from the owner as required in the memo. on p. 5 cf. Evidently no steps have been taken by him in the matter.

4. A draft memo. is submitted for approval.

11.10.38.

17-10-38.

cnv. 35283 E/39.

Edn. & P. H. Deptt.

Public Health - Municipal Health Office, Mangalore - Construction of a urinal - Expenditure to be recovered from the owner of the Building.

From the Commissioner Mangalore Municipality
Rep. E. No. 11452 IB1/39 dt 12-8-39
and dt 29-9-1939.

Memo. No. 35283-2 E1. PH-d 17-10-39

The Commissioner,

Mangalore Municipality, is informed that the provision of a latrine or urinal in the building in which the Municipal Health Office is located is a necessity and not a luxury. The owner of the building will have no justification for demanding a higher rate of rent, if he is required to bear the cost of the construction of the urinal. The Commissioner is requested to take steps to recover the amount of Rs 90/- from the owner of the building.

To the Commissioner, Mangalore Municipality, Through the DMC.

C.F. 70.

DEPARTMENT.

Received 31 JAN 1940 19

Registered 3854 19

Subject.

PUBLIC HEALTH -- Municipal Health Office - Mangalore - Construction of Urinal - Expenditure to be recovered from the owner of the building.

Reference:- Government Memorandum No.35283-2E P.H., dated 17th October 1939.

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ENCLOSURES.
No. One
Spare copies

Rye. No. 11452/B1/39.

Station Mangalore, *Dated the* 28th January 1940.

From (Name) Sri M. Narayana Shenoy, B.A., B.L.,
(Designation) Commissioner, Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,
Education & Public Health Department.
Fort St, George, MADRAS.

Through
The Chairman,
Municipal Council,
Mangalore.

Sir,

In compliance with the orders received from Government to recover the sum of Rs.90 from the owner of the building the Municipal Council in its Resolution No.66, dated the 30th October 1939 resolved that the amount should be recovered from the owner of the building. The owner of the building was accordingly addressed informing him that the amount of Rs.90/- will be deducted from the rent payable to him. In his letter dated the 22nd November 1939, the present owner of the building states that the urinal was constructed

without consulting him, that he had spent over Rs.280 on repairs etc. on the building while occupied by the Council for the purpose of housing the Municipal Health Office as he had an assurance from the then Chairman and the Municipal Health Officer that they would consider the question of a reasonable increase in the rental but this was not considered at all. He further informs me that he is only a temporary lease holder and his interest in the building would expire in July 1940. In the circumstances he states that he is not responsible for the payment of Rs.90/- incurred by the Council in constructing the urinal. The matter was placed before the Council and the same in its resolution No.56 dated the 4th December 1939 (Copy enclosed) resolved to request Government to waive the expenditure of Rs.90/- in view of the fact that the present owner of the building is only a lease holder and his interest in the building expires in July next and he is not prepared to pay the amount as his request for an increase of rent was not considered favourably. If he were to have constructed the urinal, he would have demanded an increase in rent and the resulting savings to council would be nil. I request Government may be pleased to waive the expenditure of Rs.90/- incurred on the construction of urinal to the Health Office building as a special case.

Commissioner, M.M.

Forwarded:

28th January 1940. Chairman, M. C.

Compd:

DU/29-1-40-a

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 4th December *19*39.

*Resolution No.*56.

Read: Council resolution No.66, dated the 30th October 1939 directing the recovery of the expenditure of Rs.90/- incurred in respect of putting up of a temporary urinal in the Municipal Health Office compound from the owner of the building in question in conformity with Government Memorandum No.35283-2E P.H., dated the 17th October 1939 and letter dated the 22nd November 1939 from Sri K.S.Shenoy declaring his inability to pay for reasons stated therein.

Government be requested to waive the expenditure of Rs.90/- in view of the fact that the present owner of the building is only a lease holder and his interest in the building expires in July 1940 and he is not prepared to pay the amount as his request for an increase of rent was not considered favourably.

x x

Sd/ B.Venkatarao Baliga,
Chairman, M.C.

/True Extract/

Municipal Office, Mangalore,
Dated the 28th January 1940.

Commissioner, M.M.

HDU/29/1-a

Compd:

Cno. 3854 E1/40.

E & P. H. Dept.

P. H. Municipal Health Office, Mangalore – Expenditure on the Construction of a urinal.

Ref:- From the Commr., Mangalore Mcp.

Rg cno. 11452/B1/39 d 28-1-40

—

Memo. no. 3854-1E1 d. 22-2-40

—

The Commissioner,

Mangalore Municipality is requested to state when the Municipal Health Office was shifted to the present building and ~~how long~~ When ~~ago it is said~~ the urinal ~~has been~~ was built and brought into beneficial use.

SPH
22/2/40

To the Commr. Mangalore Mcp.
Thro' C.H.C.
N.R. 23/3

Dpd. by Van / Messenger
Dpr's initials. M
Date 24/2/1940

pp 1-2 ef

Ex. 16

DEPARTMENT.

C.F. 30.

8026

Received ... 19 . Registered ... 19 .

29 FEB 1940

Subject.

Public Health - Municipal Health Office -- Mangalore - Expenditure on the construction of a urinal.

Reference:-Government Memo No.3854-1 E1,dated the 22nd February 1940.

Enclosures.
No. ...
... ...
Spare copies ...

C. No. B1/11452/39

Station Mangalore, , *Dated the* 26th February 19 40.

From (Name) Sri M.Narayana Shenoy, B.A.,B.L.,

(Designation) Commissioner, Mangalore Municipality.

To The Secretary to the Government of Madras,
Education & Public Health Department.
Fort St.George,Madras.

Through
The Chairman,
Municipal Council,
Mangalore.

Sir,

The Health Office was shifted to the present building in November 1937.

The urinal was built and brought into beneficial use in March 1938.

Commissioner, M.M.

F o r w a r d e d:

26th Feb.1940. Chairman, M.C.

HDU/26/2-Exd.

Cno. 38542/40

E & P. H. Dept

P. H. Municipal Health Office, Mangalore - Construction of Urinal - Expenditure to be recovered from the owner of the Building -

Pp 1-2 CF

Ref. from the Commissioner, Mangalore Mcp.

Ref. C no. 11452/B1/39 d 28-1-1940.

p 1 n (L)

The Municipal Health Office, Mangalore is housed in a private building for which a monthly rent of Rs. 50/- is paid. A Urinal was built in that building by the Mcp. at a cost of Rs. 90/- The owner took objection to the Expenditure and the Council applies to Govt. for the necessary sanction. The Govt. examines the Question and passed orders that the expenditure of Rs. 90/- should be recovered from the Land Lord.

pp 8-10 n (L)

Memo 35283-2E1 p11 (L)
17-10-39

pp 1-3 CF

p 11 n (L)

The Council has now ~~again~~ addresses the Govt. for the Reconsideration of the orders issued in the Memo. No. 35283-2-E1 d 17-10-39 on the ground that ~~the~~ ~~which~~ the building was occupied by the Hon Chairman and the H.O. of the Mcp. gave an assurance to increase the rent ~~which was not Considered~~ and that the present Land Lord is only a lease holder whose interest in the house will expire by July next. It is stated that the present Land Lord is not prepared to meet the expenditure as the Question of increasing the rent by the Mcp was not considered favourably and that

p 2 CF

P 7-18

if the urinal was built by the Land lord the would have demanded a higher rate of rent. The Council now requests to reconsider the order of the Govt. in its Memo No. 35283-2-21 dated 17-10-1939 & to waive the expenditure of Rs 90/- as a special case. It is for consideration whether the Council's request may be acceded to. L.A may be consulted

p. 2 c/f

p. 11 (L)

NK 14/2
DRS 14.2

Pl. ascertain how long the MHO has been occupying it? — and how long since the urinal has been built.

DRS
15/2/40.

Draft memo to the Commr. Mangalore Municipality is submitted.

NK 21/2
DRS 21/2

SRS
22/2/40

Memo No. 3854-21 dated 22.2.40 p4 c/f

Commr. Mangalore Mg. C.No. B1/11452/39 d 26-2-40 p.5 c/f.

It is stated that the Health office was shifted to the present building in November 1937 and the urinal was built & brought into use in March 1938. ibid

NK 5/3/40
DRS 6.3

Cost of the urinal is Rs 90/-. M.H.O. occupied the building in Nov 1937 & the urinal was

~~1938~~ 1938

brought into use in March 1938 and has now been in use for 2 years. It is also on record that the owner would have demanded a higher rent and in any case there was also the need of the mepllty for a bldg. to house the H.O.

Considering all the circumstans of this case the ~~union~~ expre of Rs 90/- may be sanctioned as a special case. Exr. may see.

SRK
9.3.40

S
11.3.40

Examiner. 9/3

Examiner's Office.

Seen. Thanks.

Edn. & P.H. Deptt. u.o. 27/3/40

Edn & PH

Draft

SRK 29.3.40

Exam. wo 3856-21
12-3-40
NF+CF.

EXAMINER 320. 14 MAR 1940 LOCAL GOVT'S

Examiner's wo. 320-1
28.3.40.

UNDER SECRETARY TO 29 MAR 1940

12547

20 ✗ ✗

E & P.W. Dept.

A draft order is submitted.

30/3

30/3

File the papers at (L) with the G.O.

SRY

1.4.40

21 10

3854 E/40

43 3/4.

E & H. Dept.

Accts – Mangalore Mty – Construction of a urinal in the M. Health Office – Expenditure – Sanctioned as a Spl. Case.

P 112 (1) Read again Memo No. 35283-2 S/PH. dt 17-10-1938.
Letter from the Commrs. Mangalore Mty.
Lr. C No. 11452/B1/38 dt 28-1-1940.

Order/No. 1355 P.H dt 3-4-40.

Sanction is accorded as a special case for the expenditure of a sum of Rs. 90/- incurred by the Mangalore Municipality on the Construction of a urinal in the Municipal Health Office.

To the Commrs. Mangalore Mty
Exr L-F A

30/3/40

1.4.40

Rpd. by M. Sundar
Dpr.'s Initials.
Date 1938